

## **The complaint**

Mrs B is complaining that she was told by SD Taylor Limited, trading as Loans at Home ("Loans at Home"), that she had to pay off a debt for a relative who used to live at her address.

## **What happened**

Mrs B had been borrowing from Loans at Home since April 2019. Mrs B took a total of six home collected loans and the amounts borrowed ranged between £375 and £1,100 and were to be repaid on a weekly basis. The terms of the loans were between 33 and 46 weeks and the weekly repayments were between £15 and £44.

Mrs B has said for her final loan, loan six, taken in January 2020, part of this was to repay a loan taken by a relative who I understand used to live at her address. Mrs B had no responsibility for the loan. Shortly after Mrs B took the loan she complained to the business as she didn't think it was right that she should repay another party's debt.

In response, the business said that it had spoken with the area manager – who Mrs B says told her she needed to pay the third party's account in full before loan six was agreed to – and the agent who were both present at the time. They said it was Mrs B who wanted to repay the loan. I understand that she had been making token payments on the third party's account for some time. Because of this, Loans at Home didn't uphold the complaint.

Our adjudicator didn't uphold the complaint. They said there was nothing to show that Mrs B had been forced into making the repayments for the third party.

Mrs B disagreed with the adjudicator. She said she had been told the debt would be recorded against her address if she didn't repay it. Mrs B also said that she had tried to give Loans at Home the third party's new address, but she was told her relative couldn't be traced at that address.

As the complaint remains unresolved, it has been passed to me for decision in my role as ombudsman.

## **What I've decided – and why**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

I am sorry to hear about Mrs B's situation. And I can understand why she feels she shouldn't be repaying a debt for a third party – a debt for which she has no responsibility.

But I have limited information and evidence to refer to. And when that happens, I have to take into account the information and evidence I do have and consider what I think is *more* likely to have happened.

While I don't doubt Mrs B's recollection of events, I don't have enough evidence for me safely to conclude that Loans at Home advised her that she would need to repay her relative's debt in order for her final loan to be agreed to.

There's no information about why Mrs B had already been making token payments towards her relative's debt prior to making the final repayment other than her relative's post was being sent to Mrs B's address. Mrs B hasn't said that during this time Loans at Home told her she had to service the debt. It may have been the case that Mrs B was concerned that the debt would be recorded against her address – which she says she was told – if the debt wasn't being repaid. But I don't have anything to show me this is what happened.

And Mrs B wasn't responsible for that debt, so I think it was more likely it was Mrs B's decision to service that debt and eventually repay it in full. I know Mrs B feels strongly that this is not the case. But in the absence of any further information or evidence I can't fairly and reasonably conclude that Loans at Home advised Mrs B that she needed to repay the third party's debt. As I've said above, it wasn't her responsibility and Loans at Home wouldn't have had any recourse against Mrs B if the debt wasn't repaid.

I'm sorry that I can't do anything more for Mrs B, but I have to be fair to both parties to the complaint. And in this case, there are conflicting recollections of what happened, and I've had to reach my decision on the limited information that is available to me. I hope I've been able to explain that to Mrs B.

### **My final decision**

For the reasons given above, I'm not upholding Mrs B's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs B to accept or reject my decision before 30 October 2020.

Catherine Langley  
**Ombudsman**